



Ifn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Shigeto UENO, et al. Art Unit: 2627  
Appln. No.: 10/501,022 Examiner: C. Renner  
Filed: July 9, 2004 Conf. No. 3051  
For: DISK DRIVE

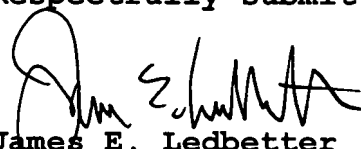
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the Notice of Non-Compliant Amendment under  
37 CFR 1.121, dated April 17, 2007, attached is the amendment  
with changes to the status identifier of claim 37, and a copy of  
the notice.

Respectfully submitted,

  
James E. Ledbetter  
Registration No. 28,732

Date: May 17, 2007

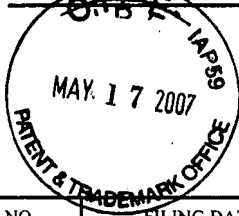
JEL/jpf

Attorney Docket No. L8462.04121

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,022	07/09/2004	Shigeto Ueno	L8462.04121	3051

7590 04/17/2007  
Stevens Davis Miller & Mosher  
1615 L Street NW  
Suite 850  
Washington, DC 20036

EXAMINER  
RENNER, CRAIG A

ART UNIT PAPER NUMBER

2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

*Non-Compliant Audit*  
RESPONSE DUE 5-17-07  
DOCKETED DATE 4-18-07  
BY EB

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

*PTOL-324*

Application No.

10/501,022

Examiner

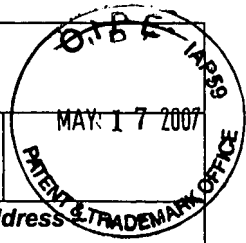
Craig A. Renner

Applicant(s)

UENO ET AL.

Art Unit

2627



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

The amendment document filed on 05 February 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

- 1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
- 2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

*Craig A. Renner*  
\_\_\_\_\_  
Legal Instruments Examiner (LIE), if applicable

571-272-7580  
\_\_\_\_\_  
Telephone No.

Continuation of 4(e) Other: Claim 37, for instance, has not been provided with the proper status identifier. 37 CFR 1.121(c)(2) states that "Only claims having the status of 'currently amended,' or 'withdrawn' if also being amended, shall include markings." Claim 37 includes markings, but has been incorrectly identified with the status identifier "(Original)."

  
**CRAIG A. RENNER**  
**PRIMARY EXAMINER**